

MEETING MINUTES

EMPIRE STATION COMMUNITY ADVISORY COMMITTEE WORKING GROUP

DATE/TIME: April 28, 2022 / 4:00pm EST
WEEK #: 15

SUBJECT: Penn Station Update
MEETING LEADER: ESD

*The following minutes prepared by Empire State Development are a summary of the meeting and are intended to capture only the main points made in the meeting. Discrepancies should be reported to Gabriella Green at Empire State Development **within three (3) calendar days** of distribution of this document.*

PARTICIPANTS:

NAME	ORGANIZATION / AGENCY	NAME	ORGANIZATION / AGENCY
Hon. Brad Hoylman	New York State Senate	Layla Law-Gisiko	Community Board 5
Hon. Richard Gottfried	New York State Assembly	Clayton Smith	Community Board 5
Robert Gottheim	U.S. Congressman Jerrold Nadler	Eugene Sinigalliano	Resident Representative
Olivia Glen-Rayner	U.S. Congressman Jerrold Nadler	Julia Campanelli	Hell's Kitchen Block Association
Betsy Schmid	U.S. Congresswoman Carolyn Maloney	Basha Gerhards	Real Estate Board of New York
Maia Berlow	NYS Senator Brad Hoylman	Tom Wright	Regional Plan Association
Sam Vasquez	NYS Senator Brad Hoylman	Elizabeth Goldstein	The Municipal Art Society of NY
Natalie Naculich	NYS Senator Brad Hoylman	Felicia Park-Rogers	Tri-State Transportation Campaign
Kenan Kurt	NYS Senator Brad Hoylman	Renae Reynolds	Tri-State Transportation Campaign
Dario Quinsac	NYS Senator Robert Jackson	Tokumbo	New School
Wendi Paster	NYS Assemblyman Richard Gottfried	Shobowale	
Matt Tighe	NYS Assemblyman Richard Gottfried	Marilyn Taylor	University of Pennsylvania
Lizette Chaparro	Manhattan Borough President's Office	Peter Matusewitch	MTA
Paul Goebel	Manhattan Borough President's Office	Robert Paley	MTA
Sean Coughlin	NYC Councilman Erik Bottcher	Sara Appleton	Amtrak
Raju Mann	NYC Council	Petra Messick	Amtrak
Louis Bailey	WE ACT for Environmental Justice	Craig Schulz	Amtrak
Dan Biederman	34th Street Partnership	Sharon Tepper	Amtrak
Dan Pisark	34th Street Partnership	Wei Yu	Amtrak
Kevin Finnegan	Labor lawyer, formerly 1199	Josh Kraus	NYCEDC
Marrissa Williams	32BJ	Jennifer Sta. Ines	NYC DOT
Santos Rodriguez	Building & Construction Trades Council of NY	Erik Botsford	NYC Dept of Planning
Christine Berthet	Community Board 4	Stephen Johnson	NYC Dept of Planning
Paul Devlin	Community Board 4	Ezra Mozer	NYC Dept of Planning
Jesse Bodine	Community Board 4	Sylvia Li	NYC Dept of Planning
Lowell Kern	Community Board 4	Joshua Simoneau	NYC Dept of Planning
Jeffrey LeFrancois	Community Board 4	Jett Wang	NYC Dept of Planning
Vikki Barbero	Community Board 5	Rich Wang	NYC Dept of Planning
E.J. Kalafarski	Community Board 5	Jeremy Colangelo-Bryan	NJ Transit

NAME	ORGANIZATION / AGENCY
Joseph Quinty	NJ Transit
Judy Kessler	Vornado
Barry Langer	Vornado
Audrey Wilson	Vornado
Carl Weisbrod	Vornado (Consultant)
Allison Lee	Albany Strategic Advisors
Justin Birzon	Albany Strategic Advisors
Audrey Heffernan	HDR Inc.
Toby Snyder	FX Collaborative
Connor Lacefield	AKRF
James Katz	NYS Executive Chamber
Jane Weisenberg	NYS Executive Chamber
Terence Cho	ESD
Gabriella Green	ESD
Holly Leicht	ESD
Phil Maguire	ESD
Noah Rayman	ESD
Angel Santana	ESD
Rachel Shatz	ESD
Noura von Briesen	ESD

NAME	ORGANIZATION / AGENCY
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Location: Zoom

Item #	Description / Discussion
1.	<u>PRESENTATION</u> <ul style="list-style-type: none"> See presentation on ESD website.
2.	<u>Q&A AND COMMENTS</u>
i.	<ul style="list-style-type: none"> Development Framework <ul style="list-style-type: none"> ➤ The GPP should require more housing on other sites, particularly for people who may be displaced. (P. Devlin) ➤ The FAR density permitted by the GPP is too high and may not be necessary with more federal financial support available. (P. Devlin) ➤ Future design or massing examples of the GPP developments should show examples on all GPP sites and not solely Sites 1-3. (P. Devlin) <ul style="list-style-type: none"> ○ ESD will show design or massing examples on all sites and not solely on Sites 1-3 in the future. ➤ The Design Guidelines needs to include loading and trash collection plans for the entire GPP area, particularly for Site 1. In the current Design Guidelines, what size trucks were the loading docks designed to accommodate? And will improvements to Madison Square Garden (“MSG”) loading and the on-street presence of MSG’s production and recording trucks on Eighth Avenue be part of the GPP or Design Guidelines? (C. Berthet, J. LeFrancois, E. Sinigalliano) <ul style="list-style-type: none"> ○ The Design Guidelines allow for a 53-foot truck. ESD will reevaluate this parameter in coordination with the Public Realm Task Force (“PRTF”) and City Department of Transportation (“City DOT”). ○ MTA’s plan for Penn Reconstruction includes a concept to move MSG loading off street and into either a covered area or below grade. Any MSG trucks currently present on City streets are under the jurisdiction of City DOT and will be addressed in the PRTF’s Public Realm Concept Plan (“PRCP”).

- Sustainability standards for the GPP developments must keep pace with industry standards as industry performance measures increase and requirements evolve because the development timeline extends across a long period of time. (M. Taylor)

ii. • **Transportation and Public Realm**

- Midblock entrances and exits should be considered for 32nd St Gimbels passageway. (P. Devlin)
- The additional subsurface connections and locations of the shared street locations will improve the Penn Station area. However, 34th Street Partnership does not feel that a new public plaza space should be part of the GPP because the space would be difficult to secure and manage. (D. Biederman)
- The plan for the public realm improvements should include additional public bathrooms. (F. Park-Rogers)
- Will the GPP require public space as part of the development of each individual site? (F. Park-Rogers)
 - The GPP will require each site to be developed with public space and public realm improvements as per the public space ratios shown on Slide 17 of the CACWG Meeting #15 presentation.
- Will each of the new entrances have escalators and/or elevators? (E. Goldstein)
 - All major new station entrances to Penn Station will be fully accessible. However, some new subway platform entrances will not be accessible because there may already be accessibility immediately adjacent to the new subway entrance.
- Will there be separate design consultants for Penn Reconstruction and Expansion? (E. Goldstein)
 - Yes, Penn Reconstruction and Expansion will each have separate design consultants.
- How do the public realm improvements shown in the presentation align with the guiding principles shown during CACWG Meeting #10 by Claire Weisz of WXY such as setting back buildings further back to create more expansive intersection crossings? (E. Goldstein)
 - The PRCP will be developed together by the PRTF, ESD and the City of New York ("City") with assistance from WXY as an extension of the CACWG's work and recommendations. In addition, ESD has received guiding principles from the City such as the prioritization of corners for circulation space and the focus of Seventh Avenue as a pedestrian right-of-way to relieve congestion. These principles will inform the PRTF as it develops the PRCP.
- The pedestrian congestion on Eighth Avenue needs to be addressed and the sidewalk widening temporarily set up by City DOT needs to be made permanent. In addition, more connections need to be made between the Penn Expansion station and subway stations on 31st Street because of the congestion on Eighth Avenue and because the 31st Street sidewalks are blocked by MSG. Finally, the section of 31st Street between Eighth and Ninth Avenues in front of Site 1 should be a shared street. (C. Berthet)
- Will multiple options for Penn Expansion be evaluated? (C. Berthet)
 - Yes, multiple options for Penn Expansion will be analyzed in the forthcoming federal NEPA review.

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	<ul style="list-style-type: none"> ➤ The public realm includes both indoor and outdoor public spaces and must weave in and through the buildings and stations across the entire district. (M. Taylor) <ul style="list-style-type: none"> ○ The project includes above-grade public realm improvements in the Project Area including sidewalk widenings, new passive open space and other public circulation spaces, the potential creation of shared streets, and the potential installation of protected and standard bike lanes. The PRTF will consult with and advise ESD on public realm improvements in the Project Area and vicinity. ESD in consultation with the PRTF will prepare a Public Realm Improvement Concept Plan (“Concept Plan”) that will describe priority public realm improvements to be implemented in connection with the redevelopment of the Project Area. The PRTF will solicit guidance from stakeholders during the Concept Plan’s development.
iii.	<ul style="list-style-type: none"> • Governance <ul style="list-style-type: none"> ➤ The community urges for the creation of an entity to manage and coordinate the timelines and processes for the Penn Station project, GPP projects, and related projects under a single governance structure. (P. Devlin, C. Berthet, J. LeFrancois, M. Taylor, T. Shobowale, E. Sinigalliano) <ul style="list-style-type: none"> ○ As per the City-State Letter of Mutual Agreement (“City-State LOMA”), a development corporation, to be created as an ESD subsidiary and with both City and State representation, will be formed to initially have oversight of the public realm improvements. <p>Separately, the State will work with the MTA and other Railroads to ensure City representation on any interagency working group(s) formed to advise on Penn Reconstruction and Expansion or any similar structures they may convene for the Penn Station projects.</p> ➤ Can you explain how the Railroads are coordinating the planning and design process for Penn Reconstruction? (E. Goldstein) <ul style="list-style-type: none"> ○ The Railroads have a robust and ongoing coordination process that requires unanimity for all decisions on Penn Reconstruction. Most recently, the Railroads have reached full agreement on a preliminary design consultant. ➤ Who will be on the Station Advisory Group (“SAG”)? (E. Goldstein) <ul style="list-style-type: none"> ○ MTA is currently determining the membership of the SAG in coordination with the Governor’s office. The membership will be publicly announced when finalized. ➤ Who will be on the PRTF and when will the meetings start? (E. Goldstein, C. Weisbrod) <ul style="list-style-type: none"> ○ The PRTF will have representation from City, Railroad, and State agencies and community stakeholders. ESD anticipates that the PRTF will first meet in late October 2022.
iv.	<ul style="list-style-type: none"> • Financing <ul style="list-style-type: none"> ➤ With which City agency are you negotiating the PILOT agreement? (L. Law-Gisiko) <ul style="list-style-type: none"> ○ ESD has been engaged in productive discussions since January 2022 with the Adams administration, primarily with the Office of the Deputy Mayor of Economic Development and NYCEDC. The goal is an agreement on financial terms, including use of PILOT, that would inform all future site-specific development agreements. ➤ How have you evaluated the risk of any potential financing? (L. Law-Gisiko)

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	<ul style="list-style-type: none"> ○ The level and structure of any required credit enhancement mechanisms would be determined at the time that one or more project-specific financings would take place for the Penn Reconstruction and Expansion projects. Factors that would affect these determinations include, but are not limited to, the allocation of cost sharing among the federal and state parties and the terms and requirements of the specific financing tool(s) selected to pursue, which may differ (e.g., a bond financing may have different requirements than a federal loan). <p>It is critical to note that in the absence of development-related revenues, the entire cost of the local share for the Penn projects would be borne by the public. A value-capture framework is a means to offset some of the public cost by capturing the increased property value generated by private redevelopments.</p> <ul style="list-style-type: none"> ➤ Will PILOT cover New York’s Share of the Gateway Hudson Tunnel Project? What will PILOT cover? (L. Law-Gisiko, F. Park-Rogers) <ul style="list-style-type: none"> ○ As part of the agreement with the City, PILOT and other GPP revenues would fund New York State’s share of the costs for Penn Reconstruction and Penn Expansion, which would be split with the federal government and New Jersey, and the costs for public realm and transit improvements, which would not be split with the federal government and New Jersey. PILOT and other GPP revenues would not fund New York State’s share of the cost for the Hudson Tunnel Project. This limitation on the use of PILOT would not, however, eliminate the need for New York State to identify funding for its 25% share of the Hudson Tunnel Project for which the current estimated total cost is \$16 billion. If PILOT is excluded from the sources available for New York’s share of the cost for the Hudson Tunnel Project, other sources would be needed to fund New York’s share. <p>v. • MSG</p> <ul style="list-style-type: none"> ➤ Have there been any discussions with the City on MSG’s special permit? (E. Goldstein) <ul style="list-style-type: none"> ○ ESD has not had further discussions with the City on the MSG special permit. ➤ Does the cost for Penn Reconstruction include redevelopment of the MSG loading zone and the above-ground walkway from Seventh Avenue to MSG? (F. Park-Rogers) <ul style="list-style-type: none"> ○ Both the cost to redevelop the MSG loading zone and the Seventh Avenue above-ground walkway are part of the MTA’s cost estimate for Penn Reconstruction, but the individual costs for these items are subject to future negotiations between MTA and MSG. <p>vi. • Human Assets</p> <ul style="list-style-type: none"> ➤ The GPP needs to have more protective language for current residents to retain their rent regulated status. (E. Sinigalliano) <ul style="list-style-type: none"> ○ ESD and the Governor’s office are in talks with local elected officials on maintaining rent stabilization status for current tenants. It is also important to note that ESD has not sought nor received authority to acquire these sites through eminent domain and it has not yet been determined among MTA, Amtrak, ESD or another public entity who would perform any eminent domain. In any case, eminent domain cannot be initiated until Sites 1-3 are selected as the preferred alternative for Penn Expansion; the federal environmental review process has been completed; and additional approvals and procedures under applicable eminent domain laws have been completed. <p>vii. • Workforce Participation</p>

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	<ul style="list-style-type: none">➤ Will Project Labor Agreements (“PLA”) be required as part of the development of each of the GPP sites? (S. Rodriguez)<ul style="list-style-type: none">○ Yes, a PLA or a similar labor agreement and will get memorialized in the development agreement for each site.